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BILL SUMMARY: HB 5950

Public Act: "Revised Statutes of 1846" (1846 R.S. 16) [MCL 41.1 to 41.110c]

Statute(s): §72c (MCL 41.71c)

Bill Type(s): Single-Section

Tie-Bar(s): None

Summary: House Bill 5950 – Compel Attendance of Board Members of a General Law Township

Amends MCL 41.72c by inserting language to permit a general law township board to compel attendance of members. With the exception of striking the reference to a "township marshal," this language mirrors the authority granted to charter townships in the *Charter Township Act* (PA 359 of 1947), specifically §7(8) [MCL 42.7(8)].

MCL 42.7(8) of the *Charter Township Act* states:

The township board, by vote of not less than 2 members, may compel the attendance of board members and other officers of the township at a regular or special meeting and enforce orderly conduct in the meeting. A member of the board or any other officer of the township who refuses to attend a meeting or conduct himself or herself in an orderly manner is guilty of misconduct in office. The township marshal shall serve as the sergeant-at-arms of the township board in the enforcement of this section.

Upon the passage of Public Act 77 of 1989, *Chapter 41* of the *Michigan Compiled Laws* that governs general law townships was consolidated significantly along with *Chapter 42* of the *Michigan Compiled Laws* that governs charter townships. Consequently, the ability of a general law township to compel the attendance of (a) member(s) was repealed.

After reviewing numerous statutes governing school boards, boards of county commissioners, and other elected public bodies, general law townships appear to be the only public body without a mechanism to compel attendance of a member and/or remove a member for non-attendance.

If enacted, HB 5950 would provide clarity and parity for both general law and charter townships regarding the authority to compel attendance of board members.